

# **TIPP CITY COUNCIL MEETING**

**TIPP CITY, MIAMI COUNTY, OHIO**

**APRIL 19, 2010**

## **Council Meeting**

President Patrick Hale called to order the regular meeting of the Tipp City Council at 6:30 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, and George H. Lovett.

## **Excuse Mr. Kessler**

President Hale made a motion to excuse Mr. Kessler from the meeting, seconded by Mr. Budding, and unanimously approved.

## **Executive Session**

Motion was made by President Hale, seconded by Mr. Budding, and unanimously approved to adjourn to Executive Session at 6:32 p.m. to include City Council, City Manager Jon Crusey, Law Director Joseph P. Moore and David Heckler, General Manager of Tri-Cities North Regional Wastewater Authority. The Executive Session was adjourned at 7:19 p.m. on a motion by President Hale, seconded by Ms. Black and unanimously approved. President Hale announced that Council would be adjourning to a Study Session to discuss induction street lighting and the water and sewer rate survey.

## **Study Session**

Assistant Utility Director Christy Butera introduced Rodney Blair from Bright Street who reviewed with Council the benefits of using induction lighting. Mr. Blair noted that induction lighting is a sealed tube which contains only a small trace of mercury. The tube is cool to the touch and should last for 20 years. Ms. Butera stated that the City is comparing LED and induction lighting and noted that LED is more expensive. Mr. Blair noted that the induction lighting would be covered by warranty for 10 years. He also noted that to disposal of mercury is not difficult. Mr. Gibson asked what would happen if a pole was knocked down. Mr. Blair said no mercury leak would occur as it is in solid form for this use. Mr. Crusey reported that Council could look at the induction lighting by viewing the light at the far west in the back parking lot light. Mr. Crusey stated that a financial analysis will be done on replacement change out once we determine which lighting we want.

City Manager Crusey reported that the City of Oakwood recently completed a survey comparing water and sewer rates of 63 jurisdictions in the greater Dayton area. The City of Tipp City ranked #22 showing that Tipp City is very competitive in this area. Mr. Crusey also noted that an electric rate survey done in 2008 comparing the city's electric rates to other public power companies, investor owned utilities, and co-ops and showed that Tipp City electric rates are anywhere from 22-26% below the investor owned and co-ops and very competitive with public power communities in the State of Ohio. Mr. Vath noted that this information will be used in marketing materials. Mr. Gibson asked why the members' rates are different. Mr. Crusey reported that the difference is in collection costs and also due to the fact that Tipp City is smaller than Vandalia with not as many households to share costs.

## **Council Meeting**

President Patrick Hale called to order the regular meeting of the Tipp City Council at 7:42 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, and George H. Lovett.

Others in attendance: Assistant City Manager Brad Vath, Finance Director Richard Drennen, City Engineer Scott Vagedes, Chief of Police Tom Davidson, City Attorney Joseph P. Moore, Fire Chief Steve Kessler, Utilities Director Mo Eichman, and Clerk of Council Cathy Ross.

Guests signing the register included: Steven Chaney, Scott Brownlee, Jenny Bashore, Randy Lagassa, Olivia Lagassa, Catie Haas, Meredith Matthews, Katie Warren, Dennis Mikel, Amanda Fitzwater, Allison Lehmkuhl, Adam Hipp, Amy Minnich, Erika Asher, Jake Kenworthy, Brandon Vath, Nick Bollinger, Robert Southern, Allison Chin, Evelyn Canis, Kristin Patterson, Taylor Jewell Marshall Zimmann, Robert Seward, Megan Kingrey, Sara Sutton, Hannah Krebs, Patrick Fisher, Jordan Browning, Kelly Renner, Aloha Jensen, Laura Poteet, Brad Hale, Jeremy Bryur, Mitch Vogler, Kelsy Stapleton, Lean Schindler, David Moore, Paige Winston, Emma Brown, Brianna Schultz, Jake Schimann, J. Potts, David Staub, Erik Stewart, Dustin Bremer, Mike Ledford, Brandon Cooper, Lauren Petrfs, CJ Beyer, Ryan Koopman, Sonya Lyons, Sierra Faley, Ryan Farling, Will Spear, Joanna Kozlowski, Kelly Hanus, Reporters Marilyn McConahay, Mike McDermott, and Nancy Bowman.

**Invocation and Pledge  
of Allegiance**

Mr. Dennis Mikel from Ginghamburg United Methodist Church delivered the invocation and led the Pledge of Allegiance.

**Approval of Agenda**

President Hale made a motion to amend the agenda to add a proclamation for Arbor Day. Motion was seconded by Mayor Gillis and unanimously approved. President Hale made a motion, seconded by Mayor Gillis to approve the amended agenda. Motion was approved with a 6-0 vote.

**Adoption of Minutes  
Study Session**

Mr. Lovett made a motion to approve the minutes of the April 5, 2010 Pre-Meeting Study Session. Motion was seconded by Mr. Budding and unanimously approved.

**Council Meeting**

Mr. Gibson made a motion to approve the minutes of the April 5, 2010 Council Meeting, seconded by Mr. Lovett and unanimously approved.

**Presentations,  
Proclamations, and  
Awards**

Mayor Gillis read a Proclamation for Arbor Day.

**Ordinances  
(Second Reading)  
Ordinance 7-10  
Annexation**

An ordinance accepting the application for the annexation of certain territory containing +/- 130.319 acres from Monroe Township to the City of Tipp City.

Clerk of Council Summary: This ordinance would allow for the annexation of 130.319 acres of land along the south side of Main Street east of the current corporate boundaries.

City Manager Comments: This ordinance, if adopted, would annex 130.319 acres of land along the south side of Main Street east of the current corporate boundaries. The City recently purchased 117.70 acres this land for its wellhead protection program with the remaining 12.619 acres being owned by Allen Senseman and Karen Shell. City Council adopted Resolution 1-10 at its January 4, 2010 meeting authorizing the City Manager to sign the annexation

Ordinance 8-10  
Chapter 37

petition and to enter into an annexation agreement with the Board of Trustees of Monroe Township. The Miami County Commissioners approved this annexation at their February 2, 2010 meeting.

There being no further discussion, Mr. Lovett sponsored this ordinance and moved for its adoption. Motion was seconded by Mayor Gillis and passed with a 6-0 vote. Ordinance 7-10 was declared passed and President Hale affixed his signature in witness thereto.

An ordinance amending Chapter 37 including Appendix Exhibit "A" of the Codified Ordinances of the City of Tipp City for all City employees not covered by a collective bargaining agreement. (Sponsored by Mayor Gillis)

Clerk of Council Summary: This ordinance makes changes to Chapter 37 of the Codified Ordinances relating to employees not covered by a collective bargaining agreement.

City Manager Comments: The adoption of this ordinance would abolish the positions of Street Superintendent and Park Superintendent and create the position of Service Superintendent effective June 1, 2010. The ordinance also places the new Service Superintendent position on pay grade higher than the Street/Parks Superintendent positions. Finally, as a housekeeping item, the entire pay scale has been revised to reflect that non-represented employees did not receive a cost of living increase in 2009 and are not scheduled to receive one in 2010.

There being no further discussion, Mayor Gillis sponsored this ordinance and moved for its adoption. Motion was seconded by President Hale and passed with a 6-0 vote. Ordinance 8-10 was declared passed and President Hale affixed his signature in witness thereto.

**Resolutions**  
(one reading required)  
Surplus Property

A resolution declaring personal property owned by the City of Tipp City to be declared surplus property and no longer useful in the general operation of the City.

Clerk of Council Summary: This resolution declares the 1997 Ford ¾ ton pickup surplus property and authorizes its disposal at the most cost-beneficial means as determined by the City Manager.

City Manager's Comments: The adoption of this resolution would declare an Electric Department 1997 Ford ¾ ton, 4x4, long bed, regular cab pickup with 95,545 miles to be surplus property and authorize the City Manager to dispose of said property by public sale, auction or trade-in or to be disposed of in the most cost-beneficial means as determined by the City Manager.

There being no further discussion, Mr. Lovett sponsored this resolution and moved for its adoption. Motion was seconded by Mayor Gillis.

Mr. Budding asked if other City owned vehicles were examined and if this was the vehicle in the worst shape. City Manager Crusey replied that the Parks Department looked at the truck and did not want it as it was in as bad or worse shape than the worst one they use. Mr. Crusey stated that any time

Resolution 19-10  
Parking Lot Lease

there is equipment to be declared surplus property, City staff reviews it to see if it can be used somewhere else.

Roll call vote was taken and declared a tie: Mr. Lovett, Mayor Gillis, and President Hale voted yes; Mr. Gibson, Mr. Budding, and Ms. Black voted no.

A resolution authorizing the City Manager of Tipp City, Ohio to enter into a multi-year agreement with William E. Mikolajewski, Jr. for lease of off-street parking spaces at 115 E. Dow Street.

Clerk of Council Summary: Additional off-street parking in and around the downtown area is needed and Mr. Mikolajewski has agreed to lease his parking lot in exchange for installment payments being credited annually against his outstanding municipal utility bill until the bill is satisfied.

City Manager Comments: This resolution authorizes the City Manager to enter into an agreement with William E. Mikolajewski, Jr. for the lease of 25 off-street parking spaces adjacent to Town & Country Market at 115 E. Dow Street. Mr. Mikolajewski is delinquent in his utility bill (electric, sewer and water) to the City. At Council's November 16, 2009 meeting a motion was adopted authorizing the City Manager to negotiate and enter into a lease for these parking spaces at a credit of \$1,500 annually for 7 years. Following discussions with Mr. Mikolajewski, a Lease Agreement has been negotiated that would apply an annual credit of \$2,500 towards his utility bill until such delinquency is satisfied after 4 ½ years. Mr. Mikolajewski will be responsible for maintenance of the parking lot as well as associated utilities while the City will be responsible for snow removal.

There being no further discussion, President Hale sponsored this resolution and moved for its adoption. Motion was seconded by Mr. Lovett.

Mr. Gibson asked what is to happen to the building adjacent to the parking lot. City Manager Crusey stated that there is a for sale sign on the building and that Mr. Mikolajewski has indicated the desire to reopen Town and Country Market. Mr. Gibson asked if this would be inconsistent with the use of the parking lot and pose a potential conflict with customers. Mr. Crusey stated that he assumes that the parking lot will not be full all the time, only on special occasions. During the general operating hours the parking lot would not be full with patrons. Mr. Crusey added that it could be good for Mr. Mikolajewski's business to have people parking in his lot and added that he will have four spaces along the east side of the building reserved for his business. Ms. Black asked if \$2500 was the lowest amount he would agree to for leasing the parking lot. City Manager Crusey stated that it was the lowest amount he would agree and reminded Council that discussions have been taking place since November, 2009. President Hale asked if the lease would survive the sale if the building were to sell. City Attorney Moore replied yes.

Resolution 19-10 passed with a 5-1 vote; Mr. Gibson voted no. President Hale affixed his signature in witness thereto.

Resolution 20-10  
Interruptible Load for  
Reliability agreement

A resolution authorizing and directing the City Manager to enter into an Interruptible Load for Reliability agreement with American Municipal Power (AMP).

Clerk of Council Summary: This resolution will allow the City to continue to receive compensation for our back-up generation capabilities.

City Manager Comments: This resolution authorizes the City Manager to enter into an Interruptible Load for Reliability Agreement with American Municipal Power (AMP). The City has existing agreements with NAWA and Meijer for use of their back-up generators during peak energy situations. This agreement, between the City and AMP, provides for the payment of a \$3.50/kw credit (\$15,704.50/month), the majority of which is passed on to NAWA and Meijer per their existing agreements.

There being no further discussion, Mr. Budding sponsored this resolution and moved for its adoption. Motion was seconded by Mr. Lovett.

Mr. Budding asked if the City would get credit for the generation capability or the fact that we can interrupt our power. Mr. Crusey replied both; the ability to generate is dependent on their ability to interrupt the power during peak situations. Mr. Budding then asked when the City has AMR/AMI and automatic disconnect ability, will that also be a credit. Mr. Crusey replied that AMP has the ability to remotely turn generators on to get them working during peak situations, but won't have the ability to randomly turn off customers to save power with the AMI solution.

Resolution 20-10 passed with a 6-0 vote and President Hale affixed his signature in witness thereto.

Resolution 21-10  
ELA

A resolution authorizing and directing the City Manager to enter into a Small Utility Enterprise License Agreement (ELA) with ESRI.

Clerk of Council Summary: This resolution authorizes an agreement with ESRI to assist in the GIS/mapping process.

City Manager Comments: The adoption of this resolution would authorize the City Manager to enter into a three-year agreement with Environmental Systems Research Institute (ESRI) for a Small Utility Enterprise License Agreement. The annual cost of the license agreement is \$10,500; however, the total contract price is \$31,500 thereby requiring Council approval. The City's Geographic Information System (GIS), which is being developed utilizing in-house personnel and assistance from surrounding communities, utilizes ESRI software (ARC view and ARC editor). ESRI is the sole source supplier of this software, which is the industry standard. The GIS system can provide up to date parcel data, mapping of utilities, utility maintenance data, field location, contractor assistance, home and business owner assistance, public safety mapping, and digital blueprints.

There being no further discussion, Mayor Gillis sponsored this resolution and moved for its adoption. Motion was seconded by Mr. Lovett.

Mr. Gibson asked Mr. Crusey to elaborate in layman's terms in what this will allow the City to do. Mr. Crusey stated that GPS will make information available on the computer that now requires going to several places such as maps on the wall, electrical, storm sewer lines, laterals, and valves. The City

will be able to connect to the auditor's office to find out who owns the parcel, access utility information on the parcel, and will be able to do our jobs more efficiently. Mr. Crusey stated it would cost hundreds of thousands of dollars to have a company come in and build this for the City; however, City staff with assistance from surrounding communities with GIS systems up and running, are building our system at a significant cost savings. Mr. Budding asked if this was critical. Mr. Crusey stated it will cut down on time and improve City services, as well as having all information available in one place. He added that staff will eventually be able to access information from the field as well. Mr. Lovett asked if the City will save money by purchasing this software with the productivity gains we will receive. Mr. Crusey replied "absolutely".

Resolution 21-10 passed with a 6-0 vote. Resolution 21-10 was declared passed and President Hale affixed his signature in witness thereto.

**Ordinances  
(First Reading)**

There were none.

**Motions  
Board Appointment**

President Hale made a motion to appoint Ralph Brown to the Restoration and Architectural Board of Review for a partial term expiring December 31, 2012. Motion was seconded by Ms. Black and unanimously approved.

**Board Appointment**

President Hale made a motion to appoint Joanna Pittenger to the Miami County Board of Health for a five-year term expiring March 31, 2015. Mr. Lovett seconded the motion and it was unanimously approved.

**Citizen Comments**

David Moore, 7411 Martindale Rd. Mr. Moore reported that "our baseball field is kind of crappy". President Hale stated that Mr. Moore should direct his concerns to the school board.

**Councilmember  
Comments**

Mr. Budding thanked everyone who attended this meeting and informed students that he used to believe that City Council did not make decisions that would affect his life, but has learned that that is not true and he encouraged students to become involved. Mr. Budding reported that he received a request from a resident that a right-turn-on red be installed at Park and Hyatt.

Mr. Gibson encouraged students to get involved and informed residents that this past week was Celebrity Librarian week and he commended everyone who was there. He noted that the Library does a lot of great things and hopes that this will raise awareness and encouraged everyone to continue to support the Library. Mr. Gibson reported that Mayor Gillis participated in the Vera Bradley Cancer Awareness Walk which was in conjunction with the Harrison's fundraiser scheduled on May 1<sup>st</sup>. Mr. Gibson stated that he was happy to report that the review of the sign code legislation is progressing and invited members of the public to let their voices be known. He announced that the Planning Board will have a workshop on May 11<sup>th</sup>. Mr. Gibson also has copies of the sign code available should anyone wish to receive a copy. He also noted that the Chamber will be having a meeting on April 29<sup>th</sup> to discuss the sign code. Mr. Gibson then reminded residents that these proceedings are being recorded by KIT-TV on Channel 5 and noted that the schedule is available on TippNewsDaily, the Tippecanoe Gazette, and Tippcityohio.gov.

Ms. Black stated that there will be a Downtown Tipp City Partnership meeting on Tuesday morning at 9 a.m. and invited citizens' input.

President Hale stated that the Planning Board meeting on May 11<sup>th</sup> will be starting at 6:45 p.m. and noted that the focus is primarily on highway signs at Exit 68 and 69.

#### City Manager Comments

City Manager Crusey reported that the City of Oakwood recently completed a survey comparing water and sewer rates of 63 jurisdictions in the greater Dayton area. The City of Tipp City ranked #22 showing that Tipp City is very competitive in this area. Mr. Crusey also noted that an electric rate survey done in 2008 compares the city's electric rates to other public power companies, investor owned utilities, and co-ops and showed that Tipp City electric rates are anywhere from 22-26% below the investor owned and co-ops and very competitive with public power communities in the State of Ohio. Mr. Crusey reported that the health insurance renewal came back at 13% which is higher than what was budgeted and he will be working with the broker to try to get renewal down as low as possible. City Manager Crusey also reported that the final NAWA master plan has been received and will be reviewed at the NAWA Board meeting on Thursday. Once approved, results will be reviewed with Council and then with the Monroe Township Trustees. Mr. Crusey asked for direction regarding the Electric Department pick-up that was to be declared surplus and noted that council approval was not required on the purchase of a replacement vehicle. Mr. Budding stated that he would like to see a case for this purchase and doesn't believe that a vehicle with 100,000 miles and 13 years of age was a reason to be replaced. Mr. Crusey noted that another City department looked at the vehicle and stated that it was in worse shape than their worst vehicle. President Hale requested that we get information back on the vehicle's condition and bring the resolution back in two weeks when a full Council will be present. Mr. Crusey then recognized Brandon Vath and announced that he is one of two finalists from Tipp City for the AMP scholarship. Brandon had to write an essay, will take a test and then go to AMP for an interview. The other Tipp City finalist is AJ Ketterman. Mr. Crusey congratulated Brandon and wished him luck.

#### Adjournment

The meeting was adjourned at 8:12 p.m. on a motion by Ms. Black, seconded by Mr. Lovett, and unanimously approved.

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Patrick Hale, President

Attest: \_\_\_\_\_  
Cathy Ross, Clerk of Council

